

Sec.

- (g) Environmental impact statements.
- (h) Billing credits.
- (i) Contracts.
- (j) Obligations not to be considered general obligations of United States or secured by full faith and credit of United States.
- (k) Equitable distribution of benefits.
- (l) Investigations.
- (m) Offering of reasonable shares to each Pacific Northwest electric utility.

839d-1. Federal projects in Pacific Northwest.  
839e. Rates.

- (a) Establishment; periodic review and revision; confirmation and approval by Federal Energy Regulatory Commission.
- (b) General application of rates to meet general requirements.
- (c) Rates applicable to direct service industrial customers.
- (d) Discount rates; special rates.
- (e) Uniform rates; rates for sale of peaking capacity; time-of-day, seasonal, and other rates.
- (f) Basis for rates.
- (g) Allocation of costs and benefits.
- (h) Surcharges.
- (i) Procedures.
- (j) Cost figures to be indicated on rate schedules and power billings.
- (k) Statutory basis for procedures used in establishing rates or rate schedules.
- (l) Rates for sales outside United States; negotiations.
- (m) Impact aid payments; formula.

839f. Administrative provisions.

- (a) Contract authority.
- (b) Executive and administrative functions of Administrator of Bonneville Power Administration; sound and businesslike implementation of chapter.
- (c) Limitations and conditions on contracts for sale or exchange of electric power for use outside Pacific Northwest.
- (d) Disposition of power which does not increase amount of firm power Administrator is obligated to provide to any customer.
- (e) Judicial review; suits.
- (f) Tax treatment of interest on governmental obligations.
- (g) Review of rates for sale of power to Administrator by investor-owned utility customers.
- (h) Companies which own or operate facilities for the generation of electricity primarily for sale to Administrator.
- (i) Electric power acquisition or disposition.
- (j) Retail rate designs which encourage conservation and efficient use of electric energy, installation of consumer-owned renewable resources, and rate research and development.
- (k) Executive position for conservation and renewable resources.

839g. Savings provisions.

- (a) Rights of States and political subdivisions of States.
- (b) Rights and obligations under existing contracts.
- (c) Statutory preferences and priorities of public bodies and cooperatives in sale of federally generated power.
- (d) Contractual rights under provisions later found to be unconstitutional.

Sec.

- (e) Treaty and other rights of Indian tribes.
- (f) Reservation of electric power for Montana; Hungry Horse and Libby Dams and Reservoirs.
- (g) Rights of States to prohibit recovery of resource construction costs through retail rates.
- (h) Water appropriations.
- (i) Existing Federal licenses, permits, and certificates.

839h. Separability.

#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 838i, 838k, 839d-1 of this title; title 26 section 149; title 33 section 2286.

### § 839. Congressional declaration of purpose

The purposes of this chapter, together with the provisions of other laws applicable to the Federal Columbia River Power System, are all intended to be construed in a consistent manner. Such purposes are also intended to be construed in a manner consistent with applicable environmental laws. Such purposes are:

(1) to encourage, through the unique opportunity provided by the Federal Columbia River Power System—

(A) conservation and efficiency in the use of electric power, and

(B) the development of renewable resources within the Pacific Northwest;

(2) to assure the Pacific Northwest of an adequate, efficient, economical, and reliable power supply;

(3) to provide for the participation and consultation of the Pacific Northwest States, local governments, consumers, customers, users of the Columbia River System (including Federal and State fish and wildlife agencies and appropriate Indian tribes), and the public at large within the region in—

(A) the development of regional plans and programs related to energy conservation, renewable resources, other resources, and protecting, mitigating and enhancing fish and wildlife resources,

(B) facilitating the orderly planning of the region's power system, and

(C) providing environmental quality;

(4) to provide that the customers of the Bonneville Power Administration and their consumers continue to pay all costs necessary to produce, transmit, and conserve resources to meet the region's electric power requirements, including the amortization on a current basis of the Federal investment in the Federal Columbia River Power System;

(5) to insure, subject to the provisions of this chapter—

(A) that the authorities and responsibilities of State and local governments, electric utility systems, water management agencies, and other non-Federal entities for the regulation, planning, conservation, supply, distribution, and use of electric power shall be construed to be maintained, and

(B) that Congress intends that this chapter not be construed to limit or restrict the ability of customers to take actions in ac-